

**GOVERNMENT OF ANDHRA PRADESH**  
**ABSTRACT**

PUBLIC SERVICES - Commercial Taxes Department - Allegation of corruption against Sri J. Bhujanga Rao, Deputy Commercial Tax Officer, Suryaraopet, Vijaywada, Krishna District - Trapped on 22.10.1999 - Charge sheeted in a court of law - Continued under suspension from 8.4.2002 to 1.8.2004 - Acquitted by the Spl. Judge for SPE & ACB Cases, Vijayawada on 5.1.2007 in CC No. 12 of 2001 - Criminal Appeal No.938 of 2007 filed by the Government before the High Court of A.P against the acquittal - Regularisation of suspension period as "not on duty" - Orders - Issued.

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**REVENUE (VIGILANCE-I ) DEPARTMENT**

**G.O.Rt.No. 168**

**Dated:28-01-2012.**

Read the following:-

1. From the DG, ACB, Letter No. 187/RCT-VK1/99, Dt: 6.6.2000.
2. G.O.Ms.No.948, Revenue (CT.I) Department, dt.27.12.2000.
3. From the DG, ACB, Letter C.No. 187/RCT-VKI/99, Dt: 9.8.2001.
4. Proceedings of the Commissioner, CT, Hyderabad, No. DZ(4)/1268/99, Dt: 30.3.2002.
5. Proceedings of the Commissioner, CT, Hyderabad No. DZ(4)/1268/99, Dt: 14.7.2004.
6. Judgment, dated 5.1.2007 of the Spl. Judge for SPE & ACB Cases, Vijayawada in CC.No.12/2001.
7. Govt. Memo No. 77178/Vig. I(1)/1999-8, Rev. (Vig. I) Dept. Dt: 28.6.2007.
8. From the DG, ACB, Letter Rc. No. 187/RCT-VK1/1999-S9, Dt: -1-2011 (received on 22.1.2011)
9. From the Commissioner, CT, Hyderabad, Letter No. V2/207/2009, Dt: 22.11.2011.

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**ORDER:**

It has been brought to the notice of the Government by the Anti Corruption Bureau that Sri J. Bhujanga Rao, Deputy Commercial Tax Officer, Suryaraopet, Vijayawada was trapped on 22.10.1999 when he demanded and accepted an "Electronic Bread Toaster worth of Rs.950/-" as bribe from the complainant for doing official favour of issuing assessment order. The Director General, Anti-Corruption Bureau, Hyderabad furnished final report vide reference 1<sup>st</sup> read above recommending to launch prosecution against the Accused Officer. Government accorded sanction for prosecution of the Accused Officer in a court of law vide reference 2<sup>nd</sup> read above. The Director General, Anti-Corruption Bureau, Hyderabad filed charge sheet in the Court of the Special Judge for SPE & ACB Cases, Vijayawadsa on 26.7.2001 in CC No.12/2001.

2. In the reference 4<sup>th</sup> read above, the Commissioner, Commercial Taxes AP, Hyderabad placed the Accused Officer Sri J. Bhujanga Rao, Deputy Commercial Tax Officer under suspension, as per rules, since charge sheet is pending against him in the court of law. Subsequently, the suspension was revoked and he was posted as Deputy Commercial Tax Officer (Revisions), Vijayawada No. I Division, vide reference 5<sup>th</sup> read above. The individual was under suspension from 08.04.2002 to 01.08.2004.

**Contd...at P.2.,**

3. In the reference 6<sup>th</sup> read above, the Special Judge for SPE & ACB Cases, Vijayawada pronounced judgment finding that the Accused Officer is not guilty of the charges and acquitted the individual by giving benefit of doubt.

4. In the reference 6<sup>th</sup> read above, the Director General, Anti-Corruption Bureau requested the Government to accord permission to file an appeal against the orders of Special Judge for SPE & ACB Cases, Vijayawada. In the reference 7<sup>th</sup> read above, Government accorded necessary permission and the Director General, Anti-Corruption Bureau filed Criminal Appeal No. 938/2007 before the High Court of A.P.

5. In the reference 9<sup>th</sup> read above, the Commissioner, Commercial Taxes, AP, Hyderabad has stated that Sri J. Bhujanga Rao, Deputy Commercial Tax Officer, vide his application dt: 29.4.2008 applied for voluntary retirement and the same was rejected, vide his proceedings dt:25.8.2008 as the individual had completed only 17 years 9 months 26 days service and not completed 20 years of qualifying service and also in view of the pendency of Criminal Appeal before the High Court. The individual again filed another representation, dt:6.4.2009 for resignation to the post of Deputy Commercial Tax Officer and the same was also rejected by him under rule 30 of the A.P. State & Subordinate Service Rules, 1996, vide Procs. Dt: 19.8.2009; keeping in view the pendency of the case. But, the individual un-authorisedly absent to duties with effect from 29.4.2008. Accordingly, charges were framed against the individual by him and the matter was got inquired into. The Enquiry Officer in her enquiry report, dt: 12.8.2010 held that the charge is proved. Upon furnishing a copy of the enquiry report, the Delinquent Officer has submitted a representation, dt:3.10.2010 stating that the ACB Court, vide judgment dt: 5.1.2007 acquitted him from the charge and in view of his acquittal, the suspension period from 8.4.2002 to 1.8.2004 is to be treated as 'on duty' and as such he is eligible for Voluntary Retirement, as per Rule 43 (1) of A. P. Revised Pension Rules, 1980 and requested to reconsider his request for voluntary retirement with effect from 29.4.2008 ie., from the date of his unauthorized absence to duties. The Commissioner of Commercial Taxes, while informing the above position and keeping in view the unauthorized absence of the individual for more than one year / pendency of criminal appeal before the High Court of AP, has requested the Government to issue necessary instructions in the matter.

6. Government have examined the matter keeping in view the orders of Hon'ble High Court of AP, dt: 28.1.2010 made in similarly situated cases in WP.No.27607, 27614 & 22929 of 2009 and decided to regularize the suspension period from 08.04.2002 to 01.08.2004 as "not on duty"; without prejudice to the pendency of Criminal Appeal No. 938/2007 in the A.P. High Court.

7. Accordingly, Government hereby regularize the suspension period from 08.04.2002 to 01.08.2004 in respect of Sri J. Bhujanga Rao, Deputy Commercial Tax Officer as "not on duty" without prejudice to the pendency of Criminal Appeal No.938/2007 in the A.P. High Court. However, in view of acquittal judgment of Spl. Judge for SPE & ACB Cases, Vijayawada dt: 05.01.2007 in CC No. 12/2001, the suspension period shall count for notional increments/pay fixation/leave/promotion, etc.

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**8.** The Commissioner, Commercial Taxes, AP, Hyderabad shall take necessary further action in the matter accordingly.

**(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)**

**ASUTOSH MISHRA  
PRINCIPAL SECRETARY TO GOVERNMENT**

To

The individual concerned.

through the Commissioner of Commercial Taxes, A.P, Hyderabad.

The Commissioner of Commercial Taxes, A.P, Hyderabad.

Copy to:

The Director General, Anti-Corruption Bureau, Hyderabad.

The Secretary to VC, A.P. Vigilance Commission, Hyderabad.

The Accountant-General, AP., Hyderabad.

The Director of Treasuries & Accounts, Hyderabad.

The Revenue (CT.I ) Department.

The PS to Principal Secretary to Govt., Revenue Department.

SF/SC.

**//Forwarded :: By Order //**

**SECTION OFFICER.**